

IN THE MATTER OF PETITIONS FOR
SPECIAL EXCEPTION OF
A & A REALTY, INC. FOR THE
PROPERTY LOCATED AT
12300 GLYNOWINGS DRIVE
Units 3F, 4/5F, 5R

A & A Realty, Appellant

BEFORE THE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
CASE NO. 90-467-X
CASE NO. 90-468-X
CASE NO. 90-469-X

ORDER

WHEREAS, Appellant heretofore filed three Petitions for Special Exception before the Zoning Commissioner of Baltimore County to approve the use of three units in the above captioned property as service garages pursuant to the Baltimore County Zoning Regulations; and

WHEREAS, Appellant has reached an agreement with the St. Georges Station Townhouse Association, Inc., regarding the use, hours of operation and landscaping of the property; and

WHEREAS, the parties have agreed to consolidate the above captioned cases; and

WHEREAS, a hearing was held on November 1, 1991, before the Board of Appeals for Baltimore County, at which time the Board took testimony and admitted evidence and exhibits on behalf of Appellant, there being no protestants appearing at the hearing; and

WHEREAS, the Board has reviewed the matter and found that the testimony presented satisfies the requirement of §502.1 of the Baltimore County Zoning Regulations, and further supports granting the petitions under §253.2 of the Baltimore County Zoning Regulations; and

WHEREAS, the parties wish to resolve by this Order all issues affecting the property without further proceedings.

NOW, THEREFORE, it is this 20th day of November, 1991, by the Board of Appeals of Baltimore County,

A & A Realty, Inc., Case Nos. 90-467-X, 90-468-X and 90-469-X 2.

ORDERED, that the Petition for Special Exception to use the property known as unit 3F, 12300 Glynwings Drive, for a service garage in accordance with Appellant's Exhibit 1, be and the same is hereby GRANTED; and it is further

ORDERED, that the Petition for Special Exception to use the property known as unit 4/5F, 12300 Glynwings Drive, for a service garage in accordance with Appellant's Exhibit 1, be and the same is hereby GRANTED.

ORDERED, that the Petition for Special Exception to use the property known as unit 5R, 12300 Glynwings Drive, for a service garage in accordance with Appellant's Exhibit 1, be and the same is hereby GRANTED.

All the Petitions herein granted are and shall be subject, however, to the terms and conditions more fully set forth in the agreement between Appellant and the St. Georges Station Townhouse Association, Inc., including, specifically the following restrictions on the use of the Premises:

1. The service garage uses serve and shall continue to serve the uses, including industrial uses, and related activities in the surrounding area.
2. No vehicles being serviced shall be stored on the exterior of the Premises after normal operating hours.
3. Operating hours shall be from 7:00 a.m. to 6:00 p.m., Mondays through Fridays.
4. No body-work or automotive painting shall be conducted on the Premises.
5. Signs shall conform to the size and style of those used for other tenants and units of the Property.
6. All landscaping of the Property shall conform to applicable standards for landscaping as set forth in the Baltimore County Landscape Manual;

A & A Realty, Inc., Case Nos. 90-467-X, 90-468-X and 90-469-X 3.

7. In addition to the landscaping existing upon the Property, A & A shall, within twelve (12) months from the execution hereof, plant trees of the London planes - gycamore variety, having a minimum caliper size of 2 1/4" diameter, at intervals of no less than thirty feet (30') along the frontage of the Property on Glynwings Drive.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS OF
BALTIMORE COUNTY

Michael S. Sauer
Michael S. Sauer, Acting Chairman

William Clark
C. William Clark

Harry E. Buchheister, Jr.
Harry E. Buchheister, Jr.



County Board of Appeals of Baltimore County
COUNTY OFFICE BUILDING, ROOM 315
1111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 887-3180

November 20, 1991

Deborah Dopkin, Esquire
Rosolio and Silverman, P.A.
Suite 220
502 Washington Avenue
Towson, MD 21204

Re: Case Nos. 90-467-X, 90-468-X and 90-469-X (A & A Realty)

Dear Ms. Dopkin:

Enclosed please find a copy of the Order of Dismissal issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Sincerely,

Linda M. Kuzmaul
Linda M. Kuzmaul
Legal Secretary

Enclosure

cc: Mr. Nicholas Angelozzi, Jr.
People's Counsel for Baltimore County
P. David Fields
Pat Keller
Lawrence E. Schmidt
Timothy M. Kotroco
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director
Zoning Administration

Re: Petition for Special Exception
12300 Glynwings Drive
Unit 3F
Case No. 90-469-X
A & A Realty
Appellant

BEFORE THE
BOARD OF APPEALS
OF BALTIMORE COUNTY

NOTICE OF APPEAL

Please note an appeal from the Findings of Fact and Conclusions of Law rendered by the Zoning Commissioner of Baltimore County, dated June 13, 1990 to the County Board of Appeals, and forward all papers in connection therewith to the Board for hearing. The Appellant is the Petitioner, A & A Realty, whose address is 62 Gwynns Mill Court, Owings Mills, Maryland 21117.

Enclosed is the appeal fee of \$175.00 along with the sign fee of \$25.00 to cover the cost of this appeal.

Deborah C. Dopkin
Deborah C. Dopkin, Attorney for Appellant
Hollman & Redmond
405 Allegheny Avenue
Towson, Maryland 21204
(301) 825-1099

RECEIVED
JUL 11 1991
ZONING OFFICE

IN RE: PETITION FOR SPECIAL EXCEPTION
SW/S Glynwings Drive, SW of
Glynock Place (Unit 3F of
12300 Glynwings Drive)
4th Election District
3rd Councilmanic District
A & A Realty
Petitioner
BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 90-469-X

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special exception to use the subject property for a service garage in accordance with Petitioner's Exhibit 1.

The Petitioner, by Nicholas Angelozzi, Jr., General Partner, appeared, testified, and was represented by Deborah C. Dopkin, Esquire. Also appearing on behalf of the Petition were James W. McKee, Land Surveyor with McKee & Associates, Inc., Jeffrey Brown, President of Brown Motor Company, and Joseph L. Pipitone. Jack Dillon, Senior Planner, appeared on behalf of the Baltimore County Office of Planning and Zoning. There were no Protestants.

Testimony indicated that the subject property, known as 12300 Glynwings Drive, consists of 4.000 acres zoned M.L.-I.M. and is improved with a single story building containing various warehouse and service garage uses as depicted in Petitioner's Exhibit 1. Petitioner is desirous of obtaining a special exception for a service garage use for Unit 3F of the subject building as shown on Petitioner's Exhibit 1. Mr. Angelozzi, a partner of A and A Realty, legal owner of the subject property, testified generally as to the various commercial uses on the subject site and the extent of landscaping. He testified that in his opinion, the relief requested herein meets the requirements of Section 502.1 of the Baltimore

ORDER RECEIVED FOR FILING
Date *11/20/91*
By *leg*

County Zoning Regulations (B.C.Z.R.) and will otherwise have no detrimental impact on surrounding uses in the area.

James McKee, Land Surveyor, testified that he has visited the subject site and believes that the R.T.A. requirements of Section 253.4 of the B.C.Z.R. have been complied with. He also testified that in his opinion the use of the property as a service garage will have no detrimental impact on traffic in the area and that the relief requested otherwise complies with the requirements of Section 502.1 of the B.C.Z.R.

Jack Dillon testified that while the Office of Planning is in general support of Petitioner's request, they would like to see certain restrictions incorporated into the Zoning Commissioner's Order as set forth in their Zoning Plans Advisory Committee comments dated May 23, 1990. Mr. Dillon also testified as to the requirement in Section 253.2.B regarding access to a Class I Commercial Motorway. Mr. Dillon testified that while, to the best of his knowledge, the County Council has not passed a specific ordinance designating Glynwings Drive as a Class I Commercial Motorway, in his opinion it may qualify as such.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Sections 502.1 and 253.2.B.3 of the B.C.Z.R. Section 253.2.B.3 specifically requires a showing that "any such use will serve primarily the industrial uses and related activities in the surrounding industrial area." Based on the testimony and evidence produced, the Petitioner did not establish that the use proposed would primarily serve the industrial uses in the surrounding area as required.

A second hurdle for Petitioner is found in Section 253.2.B which requires that the subject use have direct access to a "Class I Commercial

ORDER RECEIVED FOR FILING
Date *11/20/91*
By *leg*

Motorway." Section 101 of the B.C.Z.R. defines a "Class I Commercial Motorway" as follows:

"A motorway, or portion thereof at least one mile in length, with at least 70% of all frontage thereon (the sum of the lengths of both sides), excluding land publicly owned for highway right-of-way purposes, zoned as B.L., B.M., B.R., and/or M.L., and designated as a Class I commercial motorway under ordinance of the County Council. No portion of a motorway shall be considered as a Class I commercial motorway unless such portion is bounded at its ends by intersections with freeways, expressways, arterial streets, town-center boundaries, political-subdivision boundaries, the urban-rural demarcation line, or major streams or rivers."

To qualify as a "Class I Commercial Motorway" the County Council must, by ordinance, designate the subject roadway as such. As Petitioner did not produce any documentation qualifying Glynwings Drive as a Class I Commercial Motorway, and the Zoning Office's search has failed to locate any such ordinance, the Petitioner's request must be denied.

After reviewing all of the testimony and evidence presented, it is the opinion of the Zoning Commissioner that the Petitioner has not met the requirements set forth in Sections 502.1 or 253.2.B of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 13th day of June, 1990 that the Petition for Special Exception to use the subject property for a service garage in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.

J. Robert Holmes
J. ROBERT HOLMES
Zoning Commissioner
for Baltimore County

JRH:bjs

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

June 13, 1990



Dennis F. Rasmussen
County Executive

Deborah C. Dopkin, Esquire
405 Allegheny Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION
SW/S Glynwings Drive, SW of Glynock Place
(12300 Glynwings Drive)
4th Election District - 3rd Councilmanic District
A & A Realty - Petitioner
Case No. 90-469-X

Dear Ms. Dopkin:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

J. Robert Haines
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: People's Counsel

File

PETITION FOR SPECIAL EXCEPTION 312

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-469-X

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for a service garage use pursuant to BCZR Section 253.2.B.3 in accordance with the plat and legal description submitted herewith, for Unit 3F.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

Legal Owner(s):

(Type or Print Name)

(Type or Print Name)

Signature

Signature

Address

(Type or Print Name)

City and State

Signature

Attorney for Petitioner:

(Type or Print Name)

Signature

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MCKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development

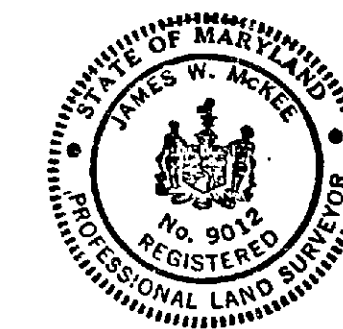
SHAWAN PLACE, 5 SHAWAN ROAD

HUNT VALLEY, MARYLAND 21030

Telephone: (301) 527-1555

Facsimile: (301) 527-1563

February 7, 1990



DESCRIPTION OF UNIT 3F
12300 GLYNOWINGS DRIVE
FOURTH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

Beginning for the first at a point, said point being South 44° 03' 54" East 161 feet, more or less, and South 45° 56' 06" West 75.00 feet from the intersection of the southwest side of Glynwings Drive and the centerline of Glynock Place extended; thence running along the outline of Unit 3F the four following courses and distances: South 44° 03' 54" East 70.00 feet, South 45° 56' 06" West 75.00 feet, North 44° 03' 54" East 70.00 feet, and North 45° 56' 06" East 75.00 feet to the point of beginning. Containing 5,250 square feet, more or less. Being known as 12300 Glynwings Drive, Unit 3F.

Beginning for the second at a point, said point being South 44° 03' 54" East 161 feet, more or less, and South 45° 56' 06" West 275.00 feet from the intersection of the southwest side of Glynwings Drive and the centerline of Glynock Place extended; thence running along the outline of a proposed parking area the four following courses and distances: South 44° 03' 54" East 99.00 feet, South 45° 56' 06" West 18.00 feet, North 44° 03' 54" East 99.00 feet, and North 45° 56' 06" East 18.00 feet to the point of beginning. Containing 1,782 square feet, more or less. Being 11 parking spaces as designated for the above mentioned Unit 3F.

Beginning for the third at a point, said point being South 44° 03' 54" East 126 feet, more or less, and South 45° 56' 06" West 21.00 feet from the intersection of the southwest side of Glynwings Drive and the centerline of Glynock Place extended; thence running along the outline of a proposed parking area the four following courses and distances: South 44° 03' 54" East 45.00 feet, South 45° 56' 06" West 18.00 feet, North 44° 03' 54" East 45.00 feet, and North 45° 56' 06" East 18.00 feet to the point of beginning. Containing 810 square feet, more or less. Being five parking spaces as designated for the above mentioned Unit 3F.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

90-469-X

District: 4th

Date of Posting: May 14, 1990

Posted for: Special Exception

Petitioner: A & A Realty

Location of property: SW/S of Glynwings Drive, SW of Glynock Place, Unit 3F

Location of Sign: SW/S of Glynwings Drive in front of subject property

Remarks:

Posted by: S.J. Arata

Date of return: May 16, 1990

Number of Signs: 7

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 15, 1990

THIS IS TO CERTIFY, that the annexed advertisement was published in OWINGS MILLS TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on May 12, 1990.

OWINGS MILLS TIMES,

S. Zake Orlov

Publisher

PO 104561

CERTIFICATE OF PUBLICATION

TOWSON, MD., 19

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on 19.

THE JEFFERSONIAN,

S. Zake Orlov

Publisher

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the petition for Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for a service garage use pursuant to BCZR Section 253.2.B.3 in accordance with the plat and legal description submitted herewith, for Unit 3F.

CERTIFICATE OF PUBLICATION

TOWSON, MD., 19

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on 19.

THE JEFFERSONIAN,

S. Zake Orlov

Publisher

Baltimore County

Zoning Commissioner

County Office Building

111 West Chesapeake Avenue

Towson, Maryland 21204

receipt

Account: R-001-6150

Number

N. 2928

CASE # 90-469-X

A9100004

Date: 7/12/90

APPEAL FEES

QTY

PRICE

120 - OF A SPECIAL EXC. ORDER 1 X \$175.00

150 - POSTING SIGNS / ADVERTISING 1 X \$25.00

TOTAL: \$200.00

LAST NAME OF OWNER: A AND A REALTY

04A04N0095MCHRC

BA C011114M07-12-90

\$200.00

Cashier Validation:

Please make checks payable to: Baltimore County

Baltimore County

Zoning Commissioner

County Office Building

111 West Chesapeake Avenue

Towson, Maryland 21204

receipt

Account: R-001-6150

Number

N. 1704

Date: 3/13/90

H7000312

PUBLIC HEARING FEES

QTY

PRICE

050 - SPECIAL EXCEPTION 1 X \$175.00

TOTAL: \$175.00

LAST NAME OF OWNER: A AND A REALTY

Please make checks payable to: Baltimore County

Baltimore County

Zoning Commissioner

County Office Building

111 West Chesapeake Avenue

Towson, Maryland 21204

receipt

Account: R-001-6150

Number

N. 2662

90-469

Date: 6/05/90

PUBLIC HEARING FEES

QTY

PRICE

030 - POSTING SIGNS / ADVERTISING 1 X \$101.45

TOTAL: \$101.45

LAST NAME OF OWNER: A AND A REALTY

Please make checks payable to: Baltimore County

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

90-469-X

District: 4th

Date of Posting: August 13, 1990

Posted for: Appeal

Petitioner: A & A Realty

Location of property: SW/S of Glynwings Drive, SW of Glynock Place, Unit 3F

Location of Sign: SW/S of Glynwings Drive in front of subject property

Remarks:

Posted by: S.J. Arata

Date of return: August 17, 1990

Number of Signs: 7

Very truly yours,

J. Robert Haines

ZONING COMMISSIONER

JRH:gs

cc: Deborah C. Dopkin, Esq.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

April 25, 1990

NOTICE OF HEARING

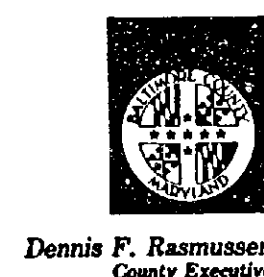
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Special Exception
CASE NUMBER: 90-469-X
SW/S Glynwings Drive, SW of Glynock Place
12300 Glynwings Drive - Unit 3F
4th Election District - 3rd Councilmanic
Petitioner(s): A & A Realty
HEARING: TUESDAY, JUNE 5, 1990 at 9:30 a.m.

Special Exception: A service garage.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
Zoning Commissioner of
Baltimore County



Dennis F. Rasmussen
County Executive



County Board of Appeals of Baltimore County
COUNTY OFFICE BUILDING, ROOM 315
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 887-3180

Hearing Room -
Room 301, County Office Bldg. January 25, 1991

NOTICE OF POSTPONEMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NOS. 90-467-X A & A REALTY (Units 5R, 4/5 F, and 3F, respectively)
90-468-X AND 90-469-X SW/s Glynwings Drive, SW of Glynock Place (12300 Glynwings Drive)
4th Election District
3rd Councilmanic District

SE-Service Garage (each unit as individually indicated above)

6/13/90 - Z.C.'s Order DENYING Petitions.

which was scheduled for hearing on February 8, 1991 has been POSTPONED at the request of Counsel for the Petitioner/Appellant with no reset date.

cc: Deborah C. Dopkin, Esquire-Counsel for Petitioner/Appellant

Mr. Nicholas Angelossi, Jr.

People's Counsel for Baltimore County
P. David Fields
Pat Keller
Lawrence E. Schmidt
Timothy H. Kotroco
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, County Attorney

LindaLee M. Kuszmaul
Legal Secretary



County Board of Appeals of Baltimore County
COUNTY OFFICE BUILDING, ROOM 315
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 887-3180

Hearing Room -
Room 301, County Office Bldg. October 3, 1991

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NOS. 90-467-X A & A REALTY (Units 5R, 4/5 F, and 3F, respectively)
90-468-X AND 90-469-X SW/s Glynwings Drive, SW of Glynock Place (12300 Glynwings Drive)
4th Election District
3rd Councilmanic District

SE-Service Garage (each unit as individually indicated above)

6/13/90 - Z.C.'s Order DENYING Petitions.

ASSIGNED FOR: FRIDAY, NOVEMBER 1, 1991 AT 10:00 A.M.

cc: Deborah C. Dopkin, Esquire-Counsel for Petitioner/Appellant

Mr. Nicholas Angelossi, Jr.

People's Counsel for Baltimore County
P. David Fields
Pat Keller
Lawrence E. Schmidt
Timothy H. Kotroco
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director
Zoning Administration
St. George's Station Townhome Assoc. II, Inc.
Bonita Comm. Assoc.
R.O.G. Comm. Assoc.

LindaLee M. Kuszmaul
Legal Secretary

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

May 23, 1990

Howard L. Alderman, Jr.
Levin & Gann, P.A.
Suite 113, 305 N. Chesapeake Ave
Towson, MD 21204

RE: Item No. 312, Case No. 90-469-X
Petitioner: A & A Realty
Petition for Special Exception

Dear Mr. Alderman:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: A & A Realty
62 Gwynne Will Court
Owings Mills, MD 21117

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

Your petition has been received and accepted for filing this 4th day of April, 1990.

J. Robert Haines
Zoning Commissioner

Received By:

James E. Dyer
Chairman
Zoning Plans Advisory Committee

Petitioner: A & A Realty, et al

Petitioner's Attorney: Howard L. Alderman, Jr.



Dennis F. Rasmussen
County Executive

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3354

March 23, 1990

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 300, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, and 321.

Very truly yours,

Michael S. Flanagan
Traffic Engineer Assoc. II

MSF/lrw



Dennis F. Rasmussen
County Executive

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: May 23, 1990
Zoning Commissioner

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: A&A Realty, Rolf Sorg, Inc., Item Nos. 310, 311, 312, 313

In reference to the Petitioner's request, staff offers the following comments:

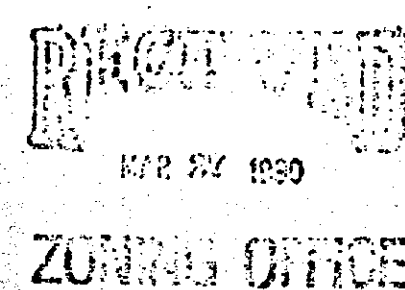
- Units 3, 4, and 5F cannot support these uses because they lie within 100 ft. of a street right-of-way abutting a residential zone. In such cases, uses are limited to only those permitted in Section 241 (M.R. zones).

Should the Petitioner's request be granted, the following conditions are offered:

- A landscape plan shall be filed with the Deputy Director of the Office of Planning and Zoning which addressed landscape improvements along Glynwings Drive. All landscape treatment shall be in accordance with the Glynwings Streetscape Plan.
- The Zoning Commissioner shall determine and restrict the hours of operation.
- Lighting of the site should be carefully regulated and directed so as not to impact the residences.
- The outside storage of damaged or disabled motor vehicles shall be prohibited.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm



Dennis F. Rasmussen
County Executive

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL
PROTECTION AND RESOURCE MANAGEMENT

2-39-90
Date

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item #313, Zoning Advisory Committee Meeting of April 3, 1990

Property Owner: A & A Realty

Location: SW/S Glynwings Drive, SW of Glynock Place, Unit 3F District: 4

Water Supply: public Sewage Disposal: public

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for new existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- () Prior to new installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 887-3775, to obtain requirements for such installation(s) before work begins.
- () A permit to construct from the Bureau of Quality Management is required for such items as spray paint processes, underground gasoline storage tank(s) (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Bureau of Air Quality Management is required for any charcoal generation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appliances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 687-6500 x 315.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations for more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- () Prior to razing of existing structure(s), petitioner must contact the Division of Waste Management at 887-3745, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 887-3775.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 887-3745.
- () Soil percolation tests, have been _____, must be _____, conducted.
- () The results are valid until _____.
- () Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test () shall be valid until _____.
- () is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted. For more information contact the Division of Environmental Management at 887-3980.
- () In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. If there are any questions regarding the subdivision process, please contact the Land Development Section at 887-2162.
- () Others: Drainage from interior service bays is to be directed to a sanitary sewer via an oil separator.

BUREAU OF WATER QUALITY AND RESOURCE
MANAGEMENT

Baltimore County
Fire Department
Towson, Maryland 21204-2586
484-4500
Paul H. Reincke
Chief

APRIL 4, 1990



Dennis F. Rasmussen
County Executive

J. Robert Haines
Zoning Commissioner
Office of Planning & Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: A & A REALTY
Location: SW/S GLYNOWINGS DRIVE UNIT 3F
Item No.: 312 Zoning Agenda: APRIL 3, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *Ch. Kelly 4490* Noted and Approved *Captain D. Brady*
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: April 4, 1990
FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for April 3, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 309, 307, 308, 310, 311, 312, 313, 318, 319 and 320.

For Items 309, 314, 315 and 317, the previous County Review Group comments apply.

For Item 316, a County Review Group meeting may be required.

For Item 321, a County Review Group meeting may be required. Neither lot has in-fee frontage to a public road.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

May 10, 1990



Dennis F. Rasmussen
County Executive

Deborah C. Dopkin, Esquire
Hellman & Redmond
405 Allegheny Avenue
Towson, MD 21204

RE: Property of A&A Realty
Item Numbers 310, 311 and 312
Hearing Numbers 90-467-X, 90-468-X
and 90-469-X
SW/S Glynwings Drive, SW of
Glynock Place
12300 Glynwings Drive (Units
5R, 4/5F and 3F)
4th Election District

Dear Ms. Dopkin:

This letter is to inform you that after a close review of the above referenced zoning petitions, it has come to the attention of this office that there are conflicts which have not been addressed in the petitions. S.253.4 of the Baltimore County Zoning Regulations restricts uses to those permitted and as limited by S.241 (which does not permit the proposed service garage uses by right or special exception) when said uses are located within 100 feet of a residential zone boundary or the right-of-way of any street abutting such a boundary. The petitions have been advertised prior to this date and, therefore, cannot be revised without new advertisement in two local papers. The petitions may, therefore, be postponed awaiting revision or you may choose to continue with the upcoming hearings with the understanding that these issues must be satisfactorily addressed.

Deborah C. Dopkin, Esquire
May 10, 1990
Page 2

The Zoning Office wishes to clarify its position in such cases since when petitions are filed in this office, it is always the ultimate responsibility of the petitioner to be certain that a complete and accurate application is made addressing all zoning issues on the property. The petitions are routinely reviewed by the associates for completeness and proper form and suggestions may be made to the applicant so that a proper and accurate application is made addressing the zoning issues as presented at the review. Obviously the staff will endeavor to review the petition as presented to be as complete as possible with the time available, but there is no stigma or responsibility either implied or conferred upon the associates to completely correct the application and address all zoning conflicts and issues on the property.

If you have any questions, please do not hesitate to call me at 887-3391.

Very truly yours,

John L. Lewis
John L. Lewis
Planning & Zoning Associate III

JLL:scj

cc: A&A Realty

APPEAL

Petition for Special Exception
SW/S Glynwings Drive, SW of Glynock Place
(Unit 3F of 12300 Glynwings Drive)
4th Election District - 3rd Councilmanic District
A & A REALTY - Petitioner
Case No. 90-469-X

Petition for Special Exception

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel (None Submitted)

Zoning Plans Advisory Committee Comments

Director of Planning & Zoning Comments (Included with ZAC comments)

Petitioner's Exhibits: 1. Plat to accompany Petition

Zoning Commissioner's Order dated June 13, 1990 (Denied)

Notice of Appeal received July 11, 1990 from Deborah C. Dopkin,
Attorney on behalf of the Petitioner

cc: Nicholas Angelossi, Jr. - A & A Realty
62 Gwynns Mill Court, Owings Mills, MD 21117

Deborah C. Dopkin - Hellman & Redmond
405 Allegheny Avenue
Towson, Maryland 21204

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning
Patrick Keller, Office of Planning & Zoning
J. Robert Haines, Zoning Commissioner
Ann M. Nastarowicz, Deputy Zoning Commissioner
James E. Dyer, Zoning Supervisor
W. Carl Richards, Jr., Zoning Coordinator
Docket Clerk
Arnold Jablon, County Attorney

8/23/90 - Following parties notified of hearing set for February 8, 1991 at 10:00 a.m.:

Deborah C. Dopkin, Esquire
Mr. Nicholas Angelossi, Jr.
People's Counsel for Baltimore County
P. David Fields
Pat Keller
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, County Attorney

1/25/91 - Above parties notified of POSTPONEMENT at request of Counsel for Petitioner/
Appellant. No reset date.

10/3/91 - Above parties notified of hearing set for November 1, 1991 at 10:00 a.m.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

August 3, 1990



Dennis F. Rasmussen
County Executive

Baltimore County Board of Appeals
County Office Building, Room 315
Towson, Maryland 21204

RE: Petition for Special Exception
SW/S Glynwings Drive, SW of Glynock Place
(Unit 3F of 12300 Glynwings Drive)
4th Election District, 3rd Councilmanic District
A & A REALTY - Petitioner
Case No. 90-469-X

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on July 11, 1990 by Deborah C. Dopkin, Attorney on behalf of the Petitioner. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner

JP:ccr

Enclosures

cc: Nicholas Angelossi, Jr. - A & A Realty
62 Gwynns Mill Court, Owings Mills, MD 21117

Deborah C. Dopkin - Hellman & Redmond
405 Allegheny Avenue
Towson, Maryland 21204

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

File

COUNTY BOARD OF APPEALS
50 AUG - 7 AM '90

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

March 29, 1990



Dennis F. Rasmussen
County Executive

Howard Alderman, Jr., Esquire
Levin and Gann
305 W. Chesapeake Avenue
Towson, Maryland 21204

Re: A & A Realty
Item Nos. 310, 311 and 312
Withdrawal of Appearance

Dear Mr. Alderman:

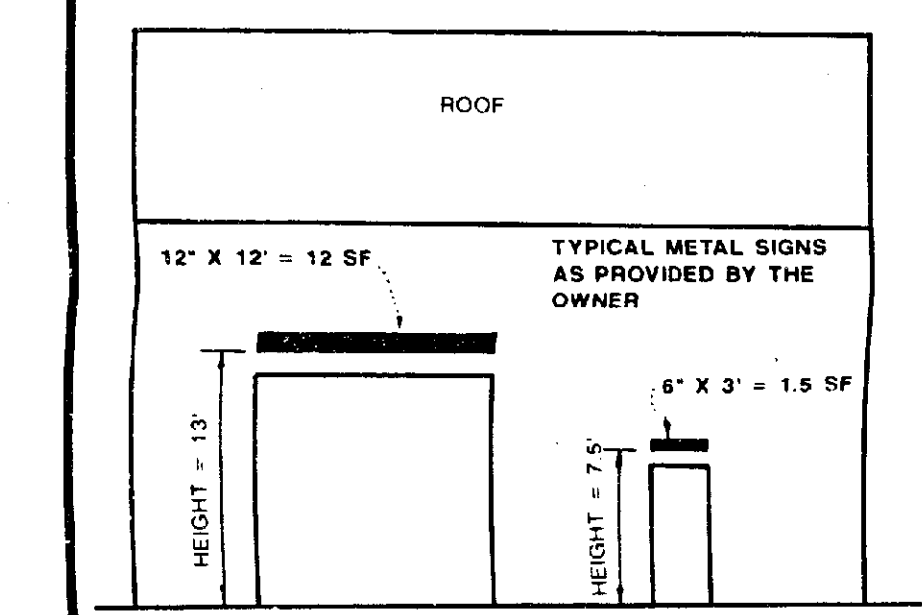
I am in receipt of your letter dated March 21, 1990 regarding the above matter. I would appreciate your advising this office, if possible, the new attorney who will be handling A & A Realty's case.

Very truly yours,

J. Robert Haines
J. Robert Haines
Zoning Commissioner
for Baltimore County

JRH:mmm

30 11M
330A 12'



TYPICAL SIGN DETAIL

Section 405A—STORAGE OF DAMAGED OR DISABLED MOTOR VEHICLES ON SERVICE-GARAGE PREMISES [Bill No. 43, 1969.]

Damaged or disabled motor vehicles may be stored on the premises of any conforming service garage or nonconforming use service garage, provided that any outdoor storage of such motor vehicles shall be subject to the following requirements: [Bill No. 43, 1969.]

405A.1—Screening. All such vehicles shall be screened from off-site view by walls (including building walls) or fences at least eight feet in height. However, a screening wall or fence less than eight feet high, but not less than six feet high, existing on the date of enactment of this provision may serve in lieu of such eight-foot wall or fence. All surfaces of such walls or fences facing residential zones or premises shall be finished or, in the discretion of the Zoning Commissioner, vine-covered or otherwise improved by the use of planting. [Bill No. 43, 1969.]

405A.2—Paving. The storage area shall be paved with permanent all-weather materials over suitably compounded and compacted base materials, and shall be properly drained. [Bill No. 43, 1969.]

GENERAL NOTES

1. TOTAL AREA OF SITE: 174,240 S.F. ± 4,000 A.D. ±
2. EXISTING ZONING OF SITE: ML-IM
3. ALL UTILITIES SHOWN ARE IN-PLACE.
4. THE SERVICE GARAGES WILL SERVE PRIMARILY THE INDUSTRIAL USE AND RELATED ACTIVITIES IN THE SURROUNDING INDUSTRIAL AREA AS SET FORTH IN SECTION 253.4B OF THE BALTIMORE COUNTY ZONING REGULATIONS.
5. ROLL-UP FACILITIES ARE FOR DRIVE-IN LOADING AND UNLOADING. LOADING DOCKS ARE NOT PROVIDED.
6. NO VEHICLES OR PARTS ARE TO BE STORED OUTSIDE UNITS 3F, 4/5F AND 5R AFTER WORK HOURS.
7. ALL SERVICES ARE TO BE CONDUCTED WITHIN THE INTERIOR OF THE UNITS SUBJECT TO SPECIAL EXCEPTION.
8. IN ACCORDANCE WITH SECTION 253.4, THE AREA OF THE REQUESTED SPECIAL EXCEPTION IS NOT WITHIN 100 FEET OF A RESIDENTIAL ZONE BOUNDARY.

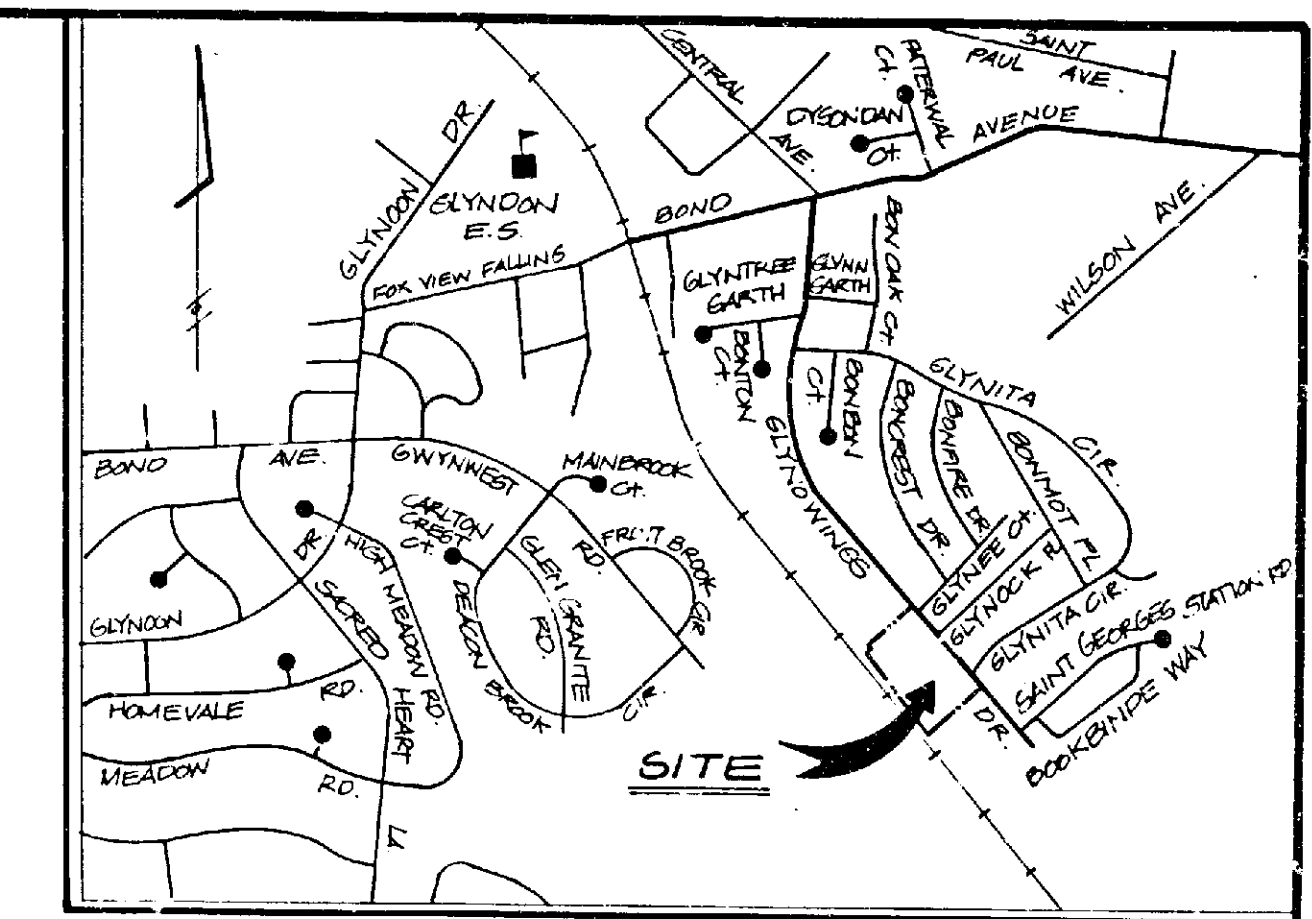
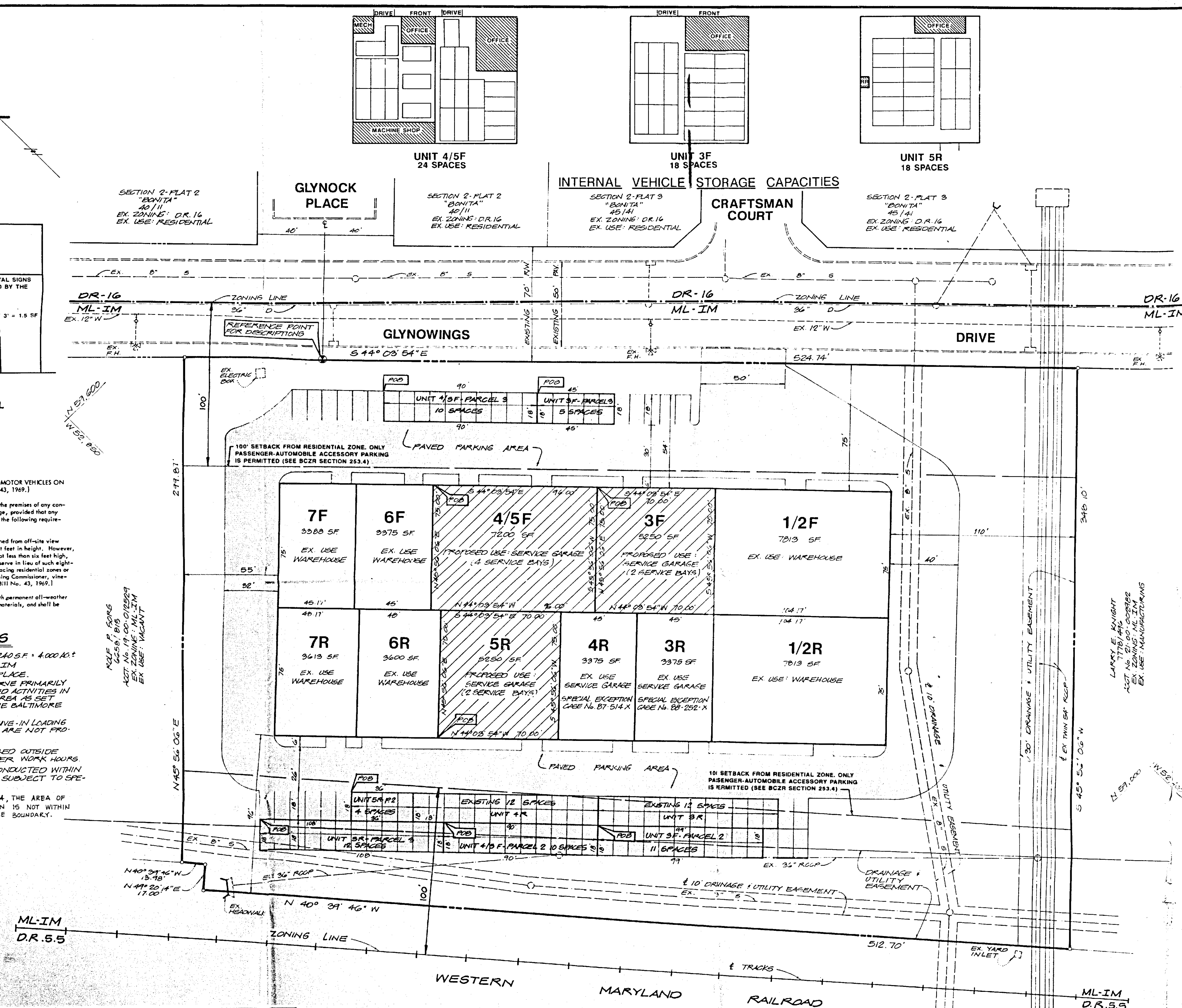
McKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development
SHAWAN PLACE, 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030
(301) 527-1555

Computed by GCS
Drawn by JCK
Checked by GCS
Job Number 90-04

James W. McKee Date
(Maryland Registered No. 9012)

DATE	REVISIONS
5-25-90	REVISED NOTE 6, ADDED NOTES 8 & 9.
	ADDED 100' RESIDENTIAL SETBACK
	ADDED INTERNAL VEHICLE STORAGE CAPACITIES
	ADDED TYPICAL SIGN DETAIL



VICINITY MAP
SCALE: 1" = 100'

PARKING BREAKDOWN

UNIT	AREA	USE	PARKING REQUIRED	PARKING PROVIDED
1/2F	7813 SF	Warehouse	1 per employee x 3	5
3F	5250 SF	Service Garage	(5250/1000) x 3.3 = 18	18(2 bays)
4/5F	7200 SF	Service Garage	(7200/1000) x 3.3 = 24	24(4 bays)
6F	3375 SF	Warehouse	1 per employee x 3	3
7F	3388 SF	Warehouse	1 per employee x 3	3
1/2R	7813 SF	Warehouse	1 per employee x 3	5
3R	3375 SF	Service Garage	(3375/1000) x 3.3 = 12	12
4R	3375 SF	Service Garage	(3375/1000) x 3.3 = 12	12
5R	5250 SF	Service Garage	(5250/1000) x 3.3 = 18	18(2 bays)
6R	3400 SF	Warehouse	1 per employee x 3	3
7R	3613 SF	Warehouse	1 per employee x 3	3
TOTAL - 102				TOTAL = 106

NOTE: PARKING PROVIDED DOES NOT INCLUDE INTERNAL VEHICLE STORAGE CAPACITIES

ZONING REQUESTS

REQUESTING A SPECIAL EXCEPTION TO ALLOW A SERVICE GARAGE USE FOR UNITS 3F, 4/5F, AND 5R. (SEE SECTION 253.2B.3 OF THE BALTIMORE COUNTY ZONING REGULATIONS)

PETITIONER'S EXHIBIT 1

PLAT TO ACCOMPANY SPECIAL EXCEPTION PETITION UNITS 3F, 4/5F, AND 5R

#12300 GLYNOWINGS DRIVE

4TH ELECTION DISTRICT
SCALE: 1" = 30'

BALTIMORE CO., MD.
JANUARY 23, 1990

LOT 5
REVISION OF
ST. GEORGE'S INDUSTRIAL PARK
E.H.K. JR. 1180

OWNER & DEVELOPER

A.A. REALTY INC.
90 ANGLETON DR., 115
62 GWYNNS MIL CT.
GWYNNS MILLS, MD 21117
263-665

DEED REFERENCE: G3/B44
PROPERTY ACCOUNT No. 00-04931